

Application No.: 10/020,592
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REMARKS

This amendment accompanies the filing of a Request for Continued Examination (RCE) application filed on even date herewith.

The application has been amended. Claim 41 has been amended. Reconsideration of the application is respectfully requested.

In the final rejection mailed March 26, 2007, claims 41 and 42 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,969,458 to Witkor. In view of the amendments and arguments presented herewith, this determination is respectfully traversed.

Claim 41 now recites a method of forming a stent delivery device. The method includes providing a catheter having an inflatable portion, placing a stent on the inflatable portion and releasably retaining the stent to the inflatable portion by depressions formed therein.

The Examiner contends that Witkor shows a stent releasably retained to a balloon of a catheter. The Examiner further states that the loops of the stent are retained in depressions formed in the balloon. In response to applicant's arguments, the Examiner further contends that applicant's claim limitations merely recite "releasably retaining the stent to the inflatable portion

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in depressions formed therein.” The Examiner submits that the claim only requires that the stent be mounted or retained in depressions formed in the inflatable portion.

Claim 41 has been amended to clearly recite that the stent is releasably retained to the inflatable portion by the depressions formed therein. This feature is not disclosed, taught or suggested by the Witkor reference. In Witkor, the placement of the stent on the balloon actually forms the depressions. The depressions themselves do not releasably retain the stent as is set forth in amended claim 41. It is respectfully submitted, therefore, that independent claim 41, as well as claims 42-44 which depend therefrom, are patentably distinct over the Witkor reference.

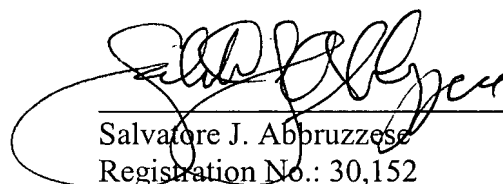
Having responded in full to the present Office Action, it is respectfully submitted that the application, including claims 25-35 and 41-46, is in condition for allowance. Favorable action thereon is respectfully solicited.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

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Should the Examiner have any questions or comments with regard to the application or this amendment, the Examiner is respectfully requested to contact undersigned counsel.

Respectfully submitted,



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